



Spokane
BUILDING OWNERS & MANAGERS ASSOCIATION
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March 15, 1996

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

MAR 19 1996

Re: Telecommunications Services --
Inside Wiring, Customer Premises
Equipment, CS Docket No. 95-184

Dear Mr. Caton:

I am writing in regard to the FCC's Notice of Proposed Rulemaking released on January 26, 1995, that pertains to telephone and cable wiring inside buildings. In addition to the original are four copies of this letter.

I am the executive director of the Spokane Building Owners and Managers Association (BOMA). My members and Board of Directors are concerned that any action taken by the FCC regarding access to private property by communications companies may inadvertently and unnecessarily adversely affect the conduct of our their business. It certainly will raise additional legal issues and concerns, as does the Commissioner's public notice.

My regular members own and/or manage commercial real estate properties. Most, if not all, of them qualify as small businesses (ie, their annual gross revenue is far less than \$5,000,000 annually).

Here's what concerns them: (a) access to private property, (b) location of the demarcation point, (c) standards for connections, (d) regulation of wiring, and (e) customer access to wiring.

You can surely appreciate that today's telecommunications are vitally important to our commercial tenants. Their very survival depends on being able to communicate. It is also important for our owners/managers to assure that their tenants receive all desired services at a reasonable cost. They are committed to making sure that such services are available.

Government intervention is not only unnecessary, it is undesirable. We believe that such intervention could interfere with their ability to effectively and safely manage their properties. In that they have many responsibilities that include coordinating service providers, managing limited space, ensuring safety and compliance with safety codes, such regulations as are proposed will not only harm their interests, but those of their tenants and the public, as well.

Changes in technology and society are leading to a proliferation of services and service providers that only add to the property manager's role. A building has only a fixed amount of space

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in which telecommunications equipment can be installed. Expansion, if it is even possible, certainly adds significant expenses. It is doubtful that most telecommunications service providers will consider factors for which they are not responsible, nor those which do not add to their costs.

Building security is a major concern of managers, tenants, customers and the public. It is the obligation of the owner/manager to provide a safe environment. Telecommunications providers have no such obligation. It is untoward to think that service personnel can have unlimited, free access to go anywhere at any time in a commercial office building.

My owners/managers are responsible for compliance with and enforcement of local safety and building codes. If they don't have control over who does the work in their buildings, then their exposure and liability are inordinately increased. The government does not need to interject itself into this issue. In fact, any such action could be counterproductive.

Defining a uniform demarcation point is/should be a function of the nature of the property. It should be inside the premises of a commercial property, preferably at the telephone vault or frame room.

We believe that government action to issue technical standards for connections is unnecessary. The telecommunications industry already has established, workable and proven standards.

As you consider actions, I would like to point out that more and more, commercial buildings are becoming mixed-use facilities. They should be treated as such.

My members believe that the owner of a property should have a superseding right to acquire or install all wiring. This is a safety issue that affects every other person in the building and should not be delegated to tenants or non-contracted service providers.

Simply put, my members want (and must) retain the right to control activities on their own property.

On behalf of the membership of BOMA Spokane, I urge the FCC to carefully consider any actions it will take in this matter. Thank you for your attention and concern.

Sincerely,

A handwritten signature in black ink, reading "Frank R. Schoonover". The signature is fluid and cursive, with the first name "Frank" being the most prominent part.

Frank R. Schoonover
Executive Director